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Attorney for Objector Robina Frank

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Morgan Stanley Data Security Litigation

Case No. 1:20-cv-05914 (PAE)

DECLARATION OF ROBINA FRANK

I, Robina Frank, declare as follows:

1. I have personal knowledge of the facts set forth herein and, if called as a witness, could and would testify competently thereto.

2. My address is 5422 Jackwood St., Houston, TX 77096. My telephone number is (832) 567-9587.

3. I am a class member because my late husband William Frank had a Morgan Stanley account established in the United States identifying me as a beneficiary (and thus Morgan Stanley had my personal information) and I received from the “Morgan Stanley Data Security Settlement Settlement Administrator” a settlement notice with a “Settlement Unique ID” ending in D42F and a Financial Shield Code ending in 8ZP2. (Another such letter was addressed to my home address to my late husband.) I am not (i) Defendant; (ii) a subsidiary, parent, or affiliate of Defendant; (iii) a director of the entities covered by (i) and (ii) during the Class Period or a member of their immediate families; (iv) a firm, trust, corporation, or other entity in which Defendant has or had a controlling interest; or (v) the legal representative, heir, successor, or assign of any such excluded persons or entities. I have not requested exclusion from the Class.

4. I am thus a member of the settlement class with standing to object to the proposed settlement and attorneys’ fee request.

5. The settlement provided no opportunity for me to make a claim for financial compensation because I spent less than an hour on the data breach materials, and there was no option to make a financial claim for less than one hour. I had my son sign me up for the fraud insurance services provided by the settlement and received a confirmation number ending in “ZU0K.”

6. I bring this objection in good faith to prevent approval of an award of unreasonable attorneys’ fees. If this Court has any skepticism about my motives, I am happy to stipulate to an injunction forbidding me from seeking compensation for settling my objection at any stage without court approval.

7. My son, Ted Frank, is director of litigation at Hamilton Lincoln Law Institute, whose attorneys represent me in this matter. Upon receiving the Notice Letter, I shared it with him so he could help me make a claim and to discuss the possibility of objecting. I am not being paid nor do I expect to receive any financial compensation for filing this objection.


8. I would prefer to receive cash compensation over the fraud insurance services provided by the settlement.

9. I would not find it financially feasible to vindicate any claims I might have against the defendant via an individual suit for money damages.

10. The specific grounds of my objection are identified in the memorandum to be filed by my attorneys contemporaneously with this declaration. My objection applies to the entire class.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: April 30, 2022 in North Bethesda, Maryland


Robina Frank